



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-7430

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/21/2021

**Title:** ZONING CASE Z-2020-10700048 (Council District 5): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for five (5) dwelling units on Lot 4, Block 1, NCB 2183, located at 636 Ruiz Street. Staff recommends Denial. Zoning Commission recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Ground Plan Comparison Form, 3. Site Plan, 4. Zoning Minutes, 5. Draft Ordinance, 6. Ordinance 2021-01-21-0044

Date	Ver.	Action By	Action	Result
1/21/2021	1	City Council A Session	approved	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2020-10700048

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for five (5) dwelling units.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 16, 2020. This case is continued from the May 19, 2020 zoning hearing.

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Housing Innovations Holdings, LLC

**Applicant:** Charles O'Brian

**Representative:** Patrick Christensen

**Location:** 636 Ruiz Street

**Legal Description:** Lot 4, Block 1, NCB 2183

**Total Acreage:** 0.232

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Westend Hope in Action and Gardendale Neighborhood Association

**Applicable Agencies:** Solid Waste Management Department

**Property Details**

**Property History:** The property was originally within the 36 square miles and zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "J" Commercial District converted to "I-1" General Industrial District. The subject property was rezoned by Ordinance 97325, dated March 13, 2003, from "I-1" General Industrial District to "R-4" Residential Single Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-4" / "I-1"

**Current Land Uses:** Vacant land / Restaurant

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Ruiz Street

**Existing Character:** Collector

**Proposed Changes:** None Known

**Public Transit:** 79, 89 and 20

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The minimum parking requirement for a 5 family cluster is 0.5 spaces per unit. "IDZ-2" reduces parking requirement by 50 %.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "R-4" accommodates Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**Proposed:** The proposed zoning district designation of "IDZ-2" allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. "IDZ" provides flexible standards for setbacks and parking and encourages reuse of underutilized parcels within a qualifying area of the city.

The applicant wants to develop "IDZ-2" for five (5) dwelling units.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not within a Regional Center, but is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (10-0) recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is not located within a neighborhood or community plan, thus a finding of consistency is not required.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed density of five (5) units introduces excessive density in an area that is primarily residential single-family. The proposed use is not consistent with the established development pattern of the surrounding area. The proposed zoning creates a denser housing stock, not characteristic of the area. The proposed "IDZ-2" is not appropriate. Additionally, there is no established "IDZ" or density in this area.

**3. Suitability as Presently Zoned:**

The existing “R-4” base zoning district is appropriate for the surrounding area.

**4. Health, Safety and Welfare:**

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request is not within a neighborhood or community plan.

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lot sizes, and setbacks.

**6. Size of Tract:**

The subject property is 0.232 acres, which could reasonably accommodate infill development of residential uses.

**7. Other Factors:**

“IDZ-2” holds the applicant to the submitted site plan. Height is restricted to 35 feet / 2 ½ stories as it abuts single family zoning and uses.

The applicant is requesting to rezone from “R-4” to “IDZ-2”, in order to develop five (5) residential dwelling units.